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SECURITY COUNCIL
Forty-seventh year

Letter dated 20 July 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit, enclosed herewith, a memorandum of the Government of the Federal Republic of Yugoslavia concerning some unresolved questions of delimitation with the Republic of Croatia (see annex).

I should be grateful if you would publish this letter and its annex as an official document of the General Assembly, under agenda item 68, and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

ANNEX

Memorandum of the Government of the Federal Republic of Yugoslavia concerning some unresolved questions of delimitation with the Republic of Croatia

After the establishment of independent States in the territory of the former Socialist Federal Republic of Yugoslavia, a number of questions remained unresolved, which - in order to tranquillize the situation and normalize the relations - should be settled in the period to come.

One of these questions is the delimitation of the Federal Republic of Yugoslavia and the Republic of Croatia at Cape Prevlaka (Ostra) in the Adriatic Sea.

Cape Prevlaka is situated at the entry into the Bay of Boka Kotorska, which belongs to the Federal Republic of Yugoslavia. This area of 5.24 square kilometres, mainly uninhabited, has always been used (also in the former Socialist Federal Republic of Yugoslavia) for situating military installations ensuring control of the Bay of Boka Kotorska. Historically, it was always within the borders of the State to which the Bay belonged. From the legal point of view, this land is the property of the former JNA (Yugoslav People's Army), proof for which exists in cadastres, although after the administrative borders of the Republics of the former Socialist Federal Republic of Yugoslavia were drawn, it became part of the territory of the Socialist Republic of Croatia.

In view of the above and the fact that, with its position, Prevlaka controls the entire Bay of Boka Kotorska, that is 30 per cent of the coast of the Federal Republic of Yugoslavia, as well as the need to reach a just sea and epicontinental delimitation between the Federal Republic of Yugoslavia and the Republic of Croatia, the Assembly of the Republic of Montenegro (on whose territory the Bay of Boka Kotorska is situated) addressed an initiative to the Republic of Croatia on 7 October 1991 to resolve the problem of Prevlaka by agreed and peaceful delimitation. The Assembly of the Republic of Croatia basically accepted the initiative. Consequently, informal bilateral talks were held between the representatives of the Republic of Montenegro and the Republic of Croatia, and talks were held on the highest level at the Conference on Yugoslavia at The Hague and at Brussels. Unfortunately, until now, these efforts have not produced expected results.

Since this outstanding question may, in the present situation, continue and even increase tensions, the Government of the Federal Republic of Yugoslavia considers that it is necessary to proceed, without delay, to its just settlement by peaceful means in accordance with the Charter of the United Nations.

Expressing its readiness, once again, to fully implement the provisions of the United Nations peace-keeping plan, particularly those concerning the withdrawal of the units of the Army of the Federal Republic of Yugoslavia from the territory of the Republic of Croatia following the assumption of responsibility by the United Nations Protection Force (UNPROFOR) in the United Nations protected zones, the Government of the Federal Republic of Yugoslávia underlines that, pending the final solution to the question of delimitation, the Yugoslav Army is ready to leave the Prevlaka area, provided that this area is placed under temporary control of the United Nations.